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MINUTES

OF THE

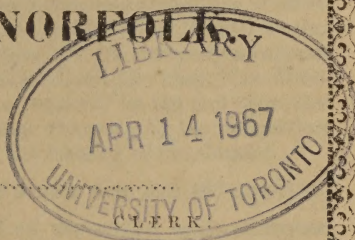
THIRD SESSION

OF THE

THIRTEENTH COUNTY COUNCIL

OF THE

COUNTY OF NORFOLK



WARDEN:

Edm. M. Wilson, Esq. - - - Jas. Ermatinger, Esq.

SIMCOE:

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1862.



## MINUTES OF THE THIRD SESSION

OF THE

## THIRTEENTH COUNTY COUNCIL

OF THE

## COUNTY OF NORFOLK.

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MONDAY, 15th Day of December, 1862, First Day of the Third Session of the Thirteenth County Council.

The Council met pursuant to notice.

The Warden in the chair.

The roll was called, and the following members answered to their names, viz: Messrs. the Warden, Lawson, Steinhoff, Snider, Matthews, Green, Barber, Hutchison, Shearer, McCall, and Chrysler.

The Clerk read the certificates of qualification and declaration of office of Robert N. Shearer, as Reeve, and Daniel A. McCall, as Deputy Reeve, of the Township of Charlotteville; together with the necessary certificate that that Township had on the assessment roll not less than Five Hundred Freeholders and Householdors, as required by the Act upon the election of a Deputy Reeve, which became necessary by the resignation of Simpson McCall, Esquire, since the last meeting of the Council.

The minutes of last day of the June Session were read and approved.

The Warden addressed the Council on the several communications received by him during the recess, and pointing out for the consideration of the Council several subjects requiring their immediate attention.

### THE WARDEN'S ADDRESS.

GENTLEMEN,—

It again becomes my duty to lay before you several matters which will occupy your attention during this, the closing Session of the year; and ere doing so, I would express the gratification which I have felt in the unanimity and harmony which have characterized all the proceedings of this Council during the period in which I have had the honor of presiding over your deliberations. A fruitful harvest has rewarded the

toil of the husbandman, and peace and its attendant blessings have surrounded us; for these, and all other mercies we should express our gratitude to Almighty God, and pray for their continuance, and for His protecting care and blessing.

#### UN-PATENTED LANDS SOLD FOR TAXES.

Since the last meeting of the Council, P. W. Rapelje, Esquire, has caused a summons to be issued from the Division Court, against this Corporation, for the recovery of \$100, being part of the money alleged to have been paid by him under protest to the Sheriff of this County for taxes on Lot No. 10, in the 8th concession of Walsingham, and which the Council, on the recommendation of their committee, refused to pay him. Considering this to be a case in which the opinion of the Court of Queen's Bench should be obtained, I applied for and obtained a Writ of Certiorari, removing the suit from the Division Court. I will lay before you a letter received through J. B. Hutcheson, Esquire, the Reeve of Walsingham, with whom I communicated upon the subject. Under all the circumstances of the case, I have thought it prudent to defer action for the present, preferring to await your further instructions in the matter. I have also to lay before you memorials from Mrs. Burnside and P. T. Worthington, Esq., praying for the return of certain moneys paid by them for un-patented lands purchased by them at the Sheriff's sale for taxes, and would recommend that the sums asked for be refunded to them.

#### COUNTY ROADS.

At our last session a resolution was passed instructing me to petition both Branches of the Legislature, praying for the passage of an Act authorizing the re-survey and establishment of the town-line between Townsend and Oakland; before carrying out the instructions of the Council I consulted your County Surveyor as to certain doubts which had arisen in my mind as to the correctness of the course proposed; it appeared to me that the question at issue between this County and the County of Brant was one which could with more propriety be decided by a legal tribunal. The opinion of the County Surveyor you will find expressed in a letter from that officer, addressed to me, which will be laid before you. Under these circumstances I have delayed taking further action in the matter, leaving the question for your decision at the present session.

I have also to bring under your notice a communication received by me from the Deputy Reeve of Walpole, on the subject of a grant of money to be expended on the County road running between Townsend and Walpole; to which I beg leave to direct your attention.

#### COUNTY FUNDS.

I have also to lay before you a letter received by me in September last

from the County Treasurer, announcing that, in consequence of the large demands made on him to defray the expenses connected with the administration of Criminal Justice, arising from the unusual amount of criminal business at the Quarter Sessions and Fall Assizes, that he would be unable to pay the cheques drawn upon him. As this failure to meet these liabilities would have entailed much inconvenience on the holders of cheques upon our Treasury, I determined (after consulting with such members of the Council as were within reach), to discount a note for the amount recommended by the County Treasurer; the proceeds were placed in his hands, and all claims were promptly paid. The note will mature on the 20th instant. In assuming this responsibility I entertained no doubt but that my action in the matter would meet your approval.

#### UNION SCHOOL, WALSLINGHAM.

I am also in receipt of an official communication announcing the establishment of the additional Grammar School at Port Rowan, and that a union had been effected between it and School Section No. 12 of Walsingham, and that the Union School is now in full operation.

#### PAUPER CHILDREN.

In September last, a female infant, apparently only a few days old, was left by some person unknown, at the toll-gate on the Otterville road, kept by Mrs. Babcock. The child was brought to the County Gaol and there left. I gave instructions to the Matron of the Gaol to employ some suitable person to take charge of it until the December Session, agreeing to pay at the rate of \$1 per week until your pleasure should be known in the matter. At the last sittings of the Court of General Quarter Sessions of the Peace, a woman of the name of Winters was convicted of larceny, and sentenced to be imprisoned in the common Gaol of this County for three calendar months; this prisoner has an infant with her, which she is unable to nurse, some provision must be made for the support of the child, as the officers of the Gaol cannot provide it with the requisite food. The person in charge of the other infant I have mentioned, offers to take this one also for three months, at the same rate.

#### COURT HOUSE AND GAOL-YARD.

I have also to lay before you a Report made by the Grand Jury at the last Court of Assize, forwarded to me, and accompanied by a letter from the Hon. Mr. Justice Richards, on the subject of certain improvements recommended to be made in the Gaol-yard and Court House. The alteration suggested in the Gaol-yard is one which will involve but a trifling outlay; but the repairs wanted on the roof of this building, although imperatively required, may induce you to consider whether it would not be more economical in the end to make provision for the erection of an entirely new Court House, than to expend more money in the almost

fruitful attempt to improve a decayed and inconvenient public building. I find upon examining the public accounts, that during the last four years the sum of \$834.84 has been expended in repairing this building—an amount representing more than the interest of a sum sufficient to erect a commodious and handsome Court House. It is true that the present building might be made available for a few years, by a continual annual expenditure for repairs; but it appears to me unwise to expend public money for such a purpose. The financial position of the County is first-rate; we are free from debt, and our debentures made payable in twenty years, bearing six per cent. interest, could be sold at Ninety Cents for the Dollar—thus yielding to the holder at the rate of seven per cent. per annum. I request your careful consideration of this matter, and would suggest that it be referred to a committee for a report.

#### INTEMPERANCE.

I have received a very able pamphlet entitled “A Plea for Inebriate Asylums,” written by Dr. Bovell, of Toronto, in which he urges the necessity of some further legislative enactment for the suppression of intemperance, and suggests the establishment of reformatory institutions for inebriates. This little work contains a mass of startling statistical information, proving in the clearest and most satisfactory manner that this deep-rooted social evil is the root and origin of a great portion of that misery and wretchedness which destroys the peace and happiness of families—which fills our Gaols with criminals, and our Asylums with lunatics and idiots. My own personal experience as a public officer, [intimately connected as I have been with the administration of criminal justice in this County for the last quarter of a century,] has long since convinced me that much of the crime which stains our calendars, has its origin in the vice of drunkenness. Prohibitory Liquor Laws have failed to eradicate this monstrous evil, and it is of but little use—[as was remarked by Mr. Justice Hagerty]—to talk of punishment as a means of either prevention or reformation so long as our common Gaol remains the only destination of the criminal. I have felt it to be my duty to bring this subject before you, and I indulge in the hope that before you separate you will adopt a memorial to the Legislature, praying that a more stringent law for the suppression of intemperance be passed; that asylums for inebriates may be established in this Province, and suitable provisions made for their government.

#### DEAF AND DUMB.

While on the subject of petitions to Parliament on behalf of suffering humanity, I would also suggest that you make another appeal in behalf of that unfortunate class of our fellow-creatures, the Deaf, Dumb, and Idiotic. Much public interest has been excited on this subject, and I hope that the approaching session will not close without the passing of an Act, making ample provision for this interesting class of the com-

munty. It gave me much pleasure to be able to forward to each Town Reeve a copy of a very ably written work, recently published by J. B. McGann, Esq., the Head-master of the Deaf and Dumb Institute at Toronto; this work was dedicated to me as Warden of Norfolk, and was doubtless intended as an acknowledgment of your liberality in providing for the education and support of all the indigent deaf and dumb mutes of this county.

#### THE DISTRESSED OPERATIVES OF GREAT BRITAIN.

Since we last met in Council, I have received various communications directing my attention to the appalling scenes of destitution and suffering now existing among a large class of the operatives in the cotton districts of Great Britain, and urging me to bring the subject before you, in the hope that, as the highest authority in this County, you would appropriate a portion of the public funds towards relieving the unparalleled distress now suffered by a large class of our fellow subjects. I feel, gentlemen, in making this earnest appeal to your sympathies, that it is unnecessary for me to dilate upon this subject. The sad intelligence has reached all lands, and has already elicited a noble response from the people of this Province. The brilliant example set by the cities of Toronto, Montreal, and Quebec has been followed by many of our smaller towns and villages. The rural municipalities have as yet done but little, simply, I believe, for the reason that no direct appeal has been made to them. The amount already raised in Canada for this purpose may be stated at about \$100,000; but this sum is still far from what such a Province as this is ought to contribute. We can do much more, and we ought to do it promptly and cheerfully. "Bis dat qui cito dat,"—[he gives twice who gives quickly]—should be our motto; and every inhabitant of this Province should have an opportunity of contributing to the fund. Hundreds of thousands of men, women, and children, accustomed to win a comfortable livelihood by their honest industry, many of them frugal and provident in their habits, some of them assiduous and successful in the cultivation of their mental powers, most of them as sensitive as the proudest peer of the realm, as to everything which might touch or taint their independence, find themselves suddenly bereft of the raw material on which their skill and labor had heretofore been profitably employed. All their domestic comforts which they toiled so long and so patiently to acquire, have all passed away from them—all are gone! desolation has swept over them all, and nothing is left but life, without the means of sustaining it, and brave hearts that bleed inwardly and make no complaint. It has been my pleasing duty, as chairman of a committee of the inhabitants of Simcoe, to forward to the Lord Mayor of London, a bill of exchange for the sum of \$594.81, in aid of the relief fund; and when we consider the depressed condition of every kind of business, and that the population of Simcoe is still much within two thousand, you will agree with me in thinking that this contribution

is most creditable to the people of that Municipality. In addition to the above amount, the sum of \$150 was raised by the I. O. of O. F., M. U., of this place, and forwarded to England some time since.

The Report of the Treasurer as to the finances of the County will be found among the papers which I will now lay before you.

No. 1: On motion of Mr. Green, seconded by Mr. Matthews,  
*Ordered.*

That the sessional committees be composed of the following members, viz:

*On Finance and Assessment:*

Messrs. the Warden, Cryslar, Matthews, Hutchison, Barber, Lawson, White, and Shearer.

*On Roads and Public Buildings:*

Messrs. Snider, Steinhoff, McCall, Holtby, and the mover.

*On Education:*

Messrs. the Warden, Matthews, and Lawson.

Mr. Snider read the petition of Jacob Sovereign and others for a grant of money to repair the road and bridge on the town-line between Windham and Middleton.

No. 2: On motion of Mr. Snider, seconded by Mr. Cryslar,  
*Ordered.*

That the petition of Jacob Sovereign and thirty others, asking for a grant of money on the town-line between the Townships of Windham and Middleton, be referred to the committee on Finance and Assessment, to report thereon by bill or otherwise.

No. 3: On motion of Mr. Shearer, seconded by Mr. Cryslar,  
*Ordered.*

That the petition of J. P. McEwen and others praying for a sum of money, and laid over from last session for further consideration, be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

No. 4: On motion of Mr. Matthews, seconded by Mr. Lawson,  
*Ordered.*

That the Address of the Warden be referred to a special committee composed of the Reeves of the several municipalities.

No. 5: On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered.*

That the report of the Grand Jury of the last Court of Queen's Bench, together with the communication of His Honor, W. B. Richards, be referred to the committee on Public Buildings.

No. 6: On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered.*

That the communication from David Tisdale, Esquire, on the subject

of the old Registry Building, be referred to the committee on Roads and Public Buildings.

No. 7: On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered.*

That the communication from H. Groff, Esquire, County Treasurer, relative to the note discounted, be referred to the committee on Finance and Assessment.

No. 8: On motion of Mr. Lawson, seconded by Mr. Matthews,  
*Ordered.*

That the time for returning the collectors' rolls to the Treasurers in the minor municipalities, be extended to the last day of the next session of this Council.

No. 9: On motion of Mr. Shearer, seconded by Mr. Hutchison,  
*Ordered.*

That the memorial of Abraham Groff, Esquire, asking for the appointment of Inspector of weights and measures, be referred to a committee of the whole Council.

No. 10: On motion of Mr. Green, seconded by Mr. Barber,  
*Ordered.*

That the petitions of P. T. Worthington, Esq., and Mrs. Burnside, praying for reimbursement of taxes, be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

No. 11: On motion of Mr. Crysler, seconded by Mr. Snider,  
*Ordered.*

That the petition of John Earl and nine others praying for a grant of money on the town-line between the Townships of Middleton and Walsingham, opposite Lot No. 7 in the Township of Middleton, be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise; also, the petitions of Joshua Wilkinson and others, laid over from last session of this Council, be referred to the same committee.

No. 12: On motion of Mr. Barber, seconded by Mr. Green,  
*Ordered.*

That this Council do now adjourn until to-morrow.

And the Council adjourned accordingly.

Attest, JAS. ERMATINGER,  
County Clerk, County Norfolk.

—o—

TUESDAY, 16th Day of December, 1862, Second Day of the Third Session of the Thirteenth County Council.

The Council met pursuant to adjournment; the Warden in the chair.

The roll was called, and the following members answered to their names, viz: Messrs. the Warden, Lawson, Steinhoff, Snider, Matthews, White, Green, Barber, Hutchison, Holtby, Shearer, McCall, and Crysler.

The minutes of the previous day were read and approved.

The Warden read several communications which were laid on the table.  
Mr. Matthews read the petition of James Andrews and others.

No. 1: On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered.*

That the said petition be referred to the committee on Finance and Assessment, with power to report by bill or otherwise.

Mr. Shearer read the petition of William Nevitt on the subject of reimbursement of taxes.

No. 2: On motion of Mr. Shearer, seconded by Mr. McCall,  
*Ordered.*

That the petition of William Nevitt, Esq., be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

Mr. Lawson read the petition of Gideon Forsyth and others.

No. 3: On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered.*

That the petition of Gideon Forsyth and twenty-four others, be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

No. 4: On motion of Mr. Snider, seconded by Mr. Matthews,  
*Ordered.*

That the petition of A. Walsh, Esq., and others, praying for an appropriation of money on the county road lying between the Township of Townsend and Windham, be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

Mr. Lawson read the petition of Albert Toms, Esq., relative to taxes.

No. 5: On motion of Mr. Lawson, seconded by Mr. Snider,  
*Ordered.*

That the communication of Albert Toms, Esq., be referred to the committee on Finance and Assessment, with power to report thereon by bill or otherwise.

No. 6: On motion of Mr. Shearer, seconded by Mr. Holtby,  
*Ordered.*

That the public accounts for this County, as audited, now lying on the table, be referred to the committee of the whole Council.

No. 7: On motion of Mr. Barber, seconded by Mr. Green,  
*Ordered.*

That the communication of James Ermatinger, Esq., County Clerk, be referred to the committee on Roads and Public Buildings, with power to report thereon.

No. 8: On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered.*

That the County Surveyor's report be received and adopted, and placed on file in the Clerk's Office.

Mr. Matthews read the first report of the committee on Finance and Assessment, on the communication of H. Groff, Esq., relative to a note discounted.

No. 9: On motion of Mr. Matthews, seconded by Mr. White,

*Ordered* —

That the said report be received and adopted.

The report read and adopted is as follows, viz :

“ Your committee to whom the above order was referred beg leave to report, that they have carefully examined the said communication, and are of the opinion that, under the circumstances, the Warden was fully justified in obtaining funds by getting a note discounted; and recommend that the Treasurer be instructed to retire the said note when due out of the funds of the County.”

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS *Chairman*,  
PETER LAWSON,  
ROGER CRYSLER,  
ROBERT N. SHEARER,  
JOHN BARBER,  
MOSES W. WHITE.

Committee Room, 16th December, 1862.

Mr. Lawson brought up the second report of the committee on Finance and Assessment, on the petition of Jacob Sovereign and others, asking for a grant of money for a County road.

No. 10: On motion of Mr. Lawson, seconded by Mr. Matthews,

*Ordered*, —

That the said report be received and adopted.

The report read and adopted is as follows, viz :

“ Your committee to whom the above order was referred beg leave to report, that they have carefully examined the subject matter of the same, and would recommend that the sum of Twenty-Five Dollars be appropriated and expended on the town-line between Stoney Creek bridge and the town-line of Charlotteville.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS *Chairman*,  
PETER LAWSON,  
J. B. HUTCHISON,  
JOHN BARBER,  
ROBT. N. SHEARER,  
MOSES W. WHITE,  
ROGER CRYSLER.

Committee Room, 16th December, 1862.

Mr. Green brought up the first report of the committee on Roads and Public Buildings, on the report of the Grand Jury.

No. 11: On motion of Mr. Green, seconded by Mr. Snider,

*Ordered*, —

That the said report be received and adopted.

The report read and adopted is as follows, viz :

“ Your committee to whom the above order was referred beg leave to report, that they have carefully considered the subject matter contained in the report of the Grand Jury, and also the communication from His

Honor, Judge W. B. Richards, would respectfully recommend that the County Surveyor be hereby requested to have the necessary additional work done to the corners of the Gaol-yard, to make it secure from the escape of prisoners; also to cause such temporary repairs to the roof of the Court House as will preserve the building for the present; and further, that the County Surveyor do report at the next sitting of this Council the state of the building, and what would be expense of a new edifice, and the cost of putting the present building in a sufficient state of repair to answer the purpose.

All of which is respectfully submitted.

JAMES L. GREEN, *Chairman*.  
FINLAY STEINHOFF,  
DANIEL A. McCALL,  
GEORGE SNIDER.  
MATTHIAS HOLTBY.

Committee Room, 16th December, 1862.

Mr. Matthews brought up the third report of the committee on Finance and Assessment, on the petition of J. P. McEwen and others.

No. 12: On motion of Mr. Matthews, seconded by Mr. Crysler,

*Ordered.*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom the above reference was made beg leave to report, that they have carefully considered the subject matter of the and same, would respectfully recommend that no action be taken at the present, as the committee appointed to examine the road and report to this Council has failed to report, and that the matter be laid over until the next session of this Council.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman*.  
PETER LAWSON,  
ROGER CRYSLER.  
ROBERT N. SHEARER.  
JOHN BARBER,  
MOSES W. WHITE.

Committee Room, 16th December, 1862.

Mr. Lawson brought up the fourth report of the committee on Finance and Assessment on the petition of John Earls and others.

No. 13: On motion of Peter Lawson, seconded by Mr. Shearer,

*Ordered.*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom was referred the above order, beg to report, that they have carefully considered the subject matter thereof: that as your committee has no information as to the length or cost of the said bridge, would respectfully recommend that the matter be laid over until the next session of this Council; and that the Clerk of the County by letter request Mr. John Ostrander, of Middleton, to examine the

marsh referred to, and make a report of the length and probable cost of said bridge.

All of which is respectfully submitted.

DANIEL MATTHEWS, *Chairman.*  
 PETER LAWSON,  
 J. B. HUTCHISON,  
 JOHN BARBER.  
 MOSES W. WHITE,  
 ROGER CRYSLER.

Committee Room, 16th December, 1862.

No. 14: On motion of Mr. Matthews, seconded by Mr. White,

*Ordered,*

That the Treasurer's Report having been examined, and found satisfactory, be filed in the Clerk's Office for reference.

No. 15: On motion of Mr. Shearer, seconded by Mr. McCall,

*Ordered,*

That this Council do now adjourn until to-morrow.

And the Council adjourned accordingly.

*Attest,*

JAS. ERMATINGER,  
*County Clerk. County Norfolk.*

—o—

WEDNESDAY, 17th December, 1862, Third Day of the Third Session of the Thirteenth County Council.

The Council met pursuant to adjournment; the Warden in the chair.

The roll was called, and the following members answered to their names, viz: Messrs. the Warden, Lawson, Steinhoff, Snider, Matthews, White, Green, Barber, Hutchison, Holby, Shearer, McCall and Cryslar.

The minutes were read and approved.

Mr. Matthews brought up the report of the special committee on the Warden's Address.

No. 1: On motion of Mr. Matthews, seconded by Mr. White,

*Ordered,*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom was referred the Address of the Warden, beg to report, that they have carefully examined the various subjects of interest therein contained, and have taken them seriatim, as follows:

#### UNPATENTED LANDS SOLD FOR TAXES.

The claim of P. W. Rapelje, Esq., having been brought before this Council at a former session, and reported on, your committee had hoped the matter was finally disposed of; they agree with the Warden, that it

is a case in which a high legal opinion should be obtained; but having had all the correspondence relative to the case before them, they have good grounds to believe the claim to be unjust; your committee are of opinion that the County Judge, [with precedents to guide him,] would be enabled to give a satisfactory decision in the case. Your committee would recommend that, as it is a matter in which the municipality of Walsingham is more particularly interested, the Reeve of that municipality do collect all the evidence attainable, and with the Warden defend the case before the Division Court, thereby saving the large expense that would be incurred by bringing the case before the Court of Queen's Bench.

#### COUNTY ROADS:

The subject of the county line between the Counties of Norfolk and Brant appears to be one of some difficulty, the Township of Oakland being unwilling to take any action in the matter; after considering the subject fully, your committee is of opinion that the best mode of procedure be for the County Surveyor to wait on the County Council of Brant, and endeavor to make some arrangement with them, either by the appointment of an arbitrator by each County, and a third by the Honorable Commissioner of Crown Lands, or, if thought more advisable, allow the Crown Land's Commissioner to appoint a Provincial Surveyor to settle the matter in dispute.

Your committee having considered the communication from the Deputy Reeve of the Township of Walpole, on the subject of grants on the county lines, would state that this County has never neglected to make grants on the county line between this County and the County of Haldimand, whenever they have been notified that any special grant has been made by the latter County, and in some instances has taken the initiative; the Deputy Reeve of Walpole must be aware that the Municipal Act provides that when a grant of money is made on a county line by one County, the adjoining County shall pass a By-Law granting an equal amount for the like purpose, before the money can be expended; your committee cannot, therefore, recommend the expenditure of the money granted at the last session of this Council, until a similar By-Law has been passed by the County Council of Haldimand; they will also recommend that a copy of this portion of this report be transmitted to the County Council of Haldimand.

#### SCHOOLS.

Your committee are pleased to hear that after so long a delay, the additional Grammar School at Port Rowan is likely to become efficient by amalgamation with the common school in that place.

#### PAUPER CHILDREN.

Your committee are grieved to find that the crime of child desertion is becoming so common, and is of opinion that the most strenuous exer-

tions should be made to discover the perpetrators of so unfeeling and unnatural a crime; in the absence of any legal provision for such cases, your committee is of opinion that the Warden pursued the only course open to him, and would recommend that the expense already incurred be allowed; and that a sum of not more than one dollar and twenty-five cents per week be allowed out of the County funds for the maintenance of the said child, until other provision can be made by apprenticeship or otherwise; and also that a sum not more than one dollar and twenty-five cents per week for three months, be appropriated out of the County funds for the support of the child of the woman now in Gaol, convicted of larceny at the last Quarter Sessions.

#### INTemperance.

This subject is one for grave consideration; the subject of intemperance is one that has engaged the attention of statesman, philanthopist, and political economist, for a long time, but the problem has yet to be solved. Maine liquor laws, fines, imprisonment, etc., have been tried and found wanting, still the evil exists with little abatement; and, as the Warden truly observes, a vast amount of the crime and misery existing amongst us is attributable to intemperance; in view of these facts, no means should be left untried to abate or remove the evil—if but a small number can be reclaimed from sin and misery, it is our duty to make the trial.

Your committee are of opinion that if a proper Asylum was established where confirmed inebriates could be admitted, where moral suasion, kind and scientific treatment, would be used, all temptation removed, and time for amendment allowed, it would have a very salutary effect on the patient, and may be the means of saving many a family from degradation and crime; your committee would therefore recommend that memorials be prepared by the Warden, and transmitted to the several branches of the Legislature, praying that an Act may be passed for the more effectual suppression of intemperance, by the establishment of suitable Asylums for inebriates.

#### DEAF MUTES.

Your committee having perused the interesting pamphlet of J. McGann, Esq., on the subject of deaf mutes, and feeling that some provisions should be made for that unfortunate class of the community, would recommend that the Warden do memorialize the several branches of the Legislature, at the next session of Parliament, as suggested by him.

#### DISTRESSED OPERATIVES.

Your committee has heard with deep feelings of sorrow of the alarming distress existing in the manufacturing districts of our Mother Country, and cannot but admire the patience and fortitude with which the starving operatives bear their privations: your committee also feel

that whilst this County, by Divine Providence, is blest in the greatest degree with health, peace and prosperity; and whilst other parts of this Province, as well as the United States, are so liberally contributing to alleviate the distress, [the people of Simcoe and immediate neighborhood having contributed over \$650.00], your committee consider they would not be doing their duty did they not recommend that a grant be made out of the County funds of a sum somewhat in accordance with the ability of the County to contribute—say for the present, \$1000.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*

MOSES W. WHITE,

PETER LAWSON,

JOHN BARBER.

J. B. HUTCHISON.

ROGER CRYSLER,

R. N. SHEARER.

Committee Room, 17th December, 1862.

Mr. Lawson brought up the fifth report of the committee on Finance and Assessment, on the petition of James Andrews and others.

No. 2: On of Mr. Lawson, seconded by Mr. Matthews,

*Ordered.*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom was referred the above order, beg to report, that they have carefully examined the subject matter contained therein, and would respectfully recommend that as they have no definite knowledge as to the size and cost of the bridge wanted therein, that the matter be laid over until the next session of this Council; and that Finlay Steinhoff, Esq., be appointed to examine the location of said bridge, and make a report to this Council at its next session, as to the height, length, and probable cost of such bridge as may be required.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*

PETER LAWSON

J. B. HUTCHISON,

ROGER CRYSLER,

JOHN BARBER.

MOSES W. WHITE

R. N. SHEARER.

Committee Room, 17th December, 1862.

Mr. Green brought up the second report of the committee on Roads and Public Buildings, on the petition of the County Clerk.

No. 3: On motion of Mr. Green, seconded by Mr. Holtby,

*Ordered.*

That the said report be received and adopted, and that the Warden be authorized to have the work done, and draw his check on the Treasurer to defray the expense of the same.

The report read and adopted is as follows, viz :

"Your committee to whom the above order of reference was referred, beg leave to report, that they have carefully examined the subject matter of the communication, would most respectfully recommend that the present book used by this Council, be divided into three volumes, as equal in size as may be convenient, so that when a volume is full it can be placed in the archives of the County for safety.

All of which is respectfully submitted.

JAMES L. GREEN *Chairman.*

MATTHIAS HOLTBY,

D. A. McCALL.

FINLAY STEINHOFF,

GEORGE SNIDER.

Committee Room, 17th December, 1862.

Mr. Shearer brought up the sixth report of the committee on Finance and Assessment, on the petitions of P. T. Worthington, Esq., and Mrs. Burnside.

No. 4: On motion of Mr. Shearer, seconded by Mr. Cryslar,  
*Ordered,*

That the said report be received and adopted, and the Warden authorized to draw his check on the Treasurer, in favor of the persons named and for the amounts mentioned in the said report.

The report read and adopted is as follows, viz :

"Your committee to whom the above order was referred, beg leave to report, that they have carefully considered the subject matter of the same, and respectfully recommend that the amounts paid by the petitioners on certain lands bought by them at Sheriff's sale, and which appears to have been illegally sold [being unpatented lands], be refunded by the County Treasurer, together with the interest thereon at 6 per cent, from the date of the sales; and that the County Treasurer be authorized to retain the amount so refunded out of the first moneys that may come into his hands on account of non-resident land tax due the Townships in which the said lands are situated, viz: on Lot No. 12, in the 2nd con. of Houghton, the sum of \$36.70, and interest thereon, be refunded to Philip T. Worthington; and on Lot No. 20, in the 2nd con. in Middleton North of the Talbot Road, the sum of \$52.61; on Lot W $\frac{1}{2}$  No. 2, in Houghton, the sum of \$22.65, and interest thereon as aforesaid, be refunded to the said Charlotte Burnside.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*

R. N. SHEARER.

JOHN BARBER.

PETER LAWSON.

ROGER CRYSLER,

J. B. HUTCHESON.

Committee Room, 17th December, 1862.

Mr. Lawson brought up the seventh report of the committee on Finance and Assessment, on the petition of Gideon Forsyth and others.

No. 5: On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered,*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom the above order was referred, beg to report, that they have examined the subject set forth in the petition referred to them, and would recommend that the sum of twenty-four dollars be granted by this Council, to be expended in purchasing plank to cover the bridges named in the said petition, and would recommend that the said plank be three inches thick.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*

PETER LAWSON.

J. B. HUTCHESON.

ROGER CRYSLER.

JOHN BARBER.

MOSES W. WHITE.

R. N. SHEARER.

Committee Room, 17th December, 1862.

Mr. Lawson brought up the eight report of the committee on Finance and Assessment, on the petition of Albert Toms, Esq.

No. 6: On motion of Mr. Lawson, seconded by Mr. Steinhoff,

*Ordered,*

That the said report be received and adopted.

The report read and adopted is as follows, viz:

"Your committee to whom the above order was referred, beg leave to report, that they have examined the subject matter thereof, and would respectfully recommend that further action be deferred until the next meeting of this Council, as the Sheriff's certificate of sale does not accompany the communication of Mr. Toms making the claim.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*

PETER LAWSON.

ROGER CRYSLER.

MOSES W. WHITE.

JOHN BARBER.

J. B. HUTCHESON.

R. N. SHEARER.

Committee Room, 17th December, 1862.

Mr. Shearer brought up the ninth report of the committee on Finance and Assessment, on the petition of William Nevitt, Esq.

No. 7: On motion of Mr. Shearer, seconded by Mr. McCall,

*Ordered.*

That the said report be received and adopted, and that the Warden

is hereby authorized to issue his check on the Treasurer in accordance therewith.

The report read and adopted is as follows, viz :

"Your committee to whom the above order was referred beg leave to report, that they have carefully considered the subject matter of the same, and would respectfully recommend that the amount paid by the petitioner on certain lands bought by him at Sheriff's sale, and which appears to have been illegally sold, [being unpatented lands,] be refunded by the County Treasurer, together with the interest thereon at six per cent. from October 6th, 1860, out of the funds of the County ; and that the said Treasurer be authorized to retain the amount so refunded out of the first moneys that may come into his hands on account of non-resident land tax due the Township of Houghton, viz. : on Lot No. 13, in 2nd concession, the sum of \$26.89, and E $\frac{1}{2}$  Lot No. 6, E. of N. Road, both in the Township of Houghton, in the County of Norfolk, the sum of \$33.81, also including interest, out of the funds of this County.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman.*  
 PETER LAWSON.  
 ROGER CRYSLER,  
 J. B. HUTCHESON  
 MOSES W. WHITE,  
 JOHN BARBER,  
 R. N. SHEARER.

Committee Room, 17th December, 1862.

No. 8 : Mr. Matthews gives notice that he will on to-morrow ask for leave to introduce a By-Law to appropriate a certain sum of money for the relief of the distressed operatives of Lancashire.

Also, a By-Law to appropriate certain moneys on certain Township lines in this County.

No. 9 : On motion of Mr. Holtby, seconded by Mr. Hutcheson,  
*Ordered,*

Whereas the building appropriated by this Council for the reception of books, papers, etc., of this County, and the safe keeping of the same, is not in a fit state to receive said documents, for want of shelves on which to place them, it is therefore resolved that the County Surveyor be, and he is hereby authorized to procure the fitting-up of the shelves so wanted, and that he present his account for the same at the next sitting of this Council.

No. 10 : On motion of Mr. Lawson, seconded by Mr. White,  
*Ordered*

That this Council do now adjourn until to-morrow.

And the Council adjourned accordingly.

*Attest.*

JAS. ERMATINGER,  
*County Clerk, County Norfolk.*

THURSDAY, the 18th December, 1862, Fourth Day of the Third Session of the Thirteenth County Council.

The Council met pursuant to notice.

The Warden in the chair.

The roll was called, and the following members answered to their names, viz : Messrs. the Warden, Lawson, Steinhoff, Snider, Matthews, White, Green, Barber, Hutcheson, Holtby, Shearer, McCall, and Crysler.

The minutes of the previous day were read and approved.

Mr. Green brought up the report of the committee on the petition of Abraham Groff, Esq.

No. 1 : On motion of Mr. Green, seconded by Mr. McCall,  
*Ordered.*

That the said report be received and adopted.

And the report read and adopted is as follows, viz :

"Your committee to whom was referred the above order, beg leave to report, that, in the opinion of the committee, the appointment of an Inspector of Weights and Measures would at present be premature, as no standards have as yet been received, they therefore recommend that no appointment be made at present.

All of which is nevertheless respectfully submitted.

JAMES L. GREEN, *Chairman.*  
ROGER CRYSLER,  
GEORGE SNIDER,  
PETER LAWSON,  
JOHN BARBER,  
MOSES W. WHITE,  
J. B. HUTCHESON,  
DANIEL A. McCALL,  
MATTHIAS HOLTBY,  
R. N. SHEARER,  
FINLAY STEINHOFF,  
DANIEL MATTHEWS.

Committee Room, 18th December, 1862.

Mr. Lawson brought up the tenth report of the committee on Finance and Assessment, on the petition of A. Walsh, Esq., and others.

No. 2 : On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered.*

That the said report be received and adopted, and leave be granted to introduce a By-Law in accordance therewith.

The report read and adopted is as follows, viz :

"Your committee to whom was referred the above order, beg leave to report, that they have carefully considered the subject matter thereof, and recommend that the sum of \$200 be granted from the funds of the County, to be expended in the improvement of the said road ; your com-

mittee would further recommend that the requisite ditching be first done, and that the remainder of the money be expended in gravelling the said road, and that Daniel Matthews, J. L. Green, and Moses Searls, Esquires, be appointed commissioners to superintend the expenditure of the said sum of money.

All of which is nevertheless respectfully submitted.

DANIEL MATTHEWS, *Chairman*.  
ROGER CRYSLER.  
ROBERT N. SHEARER.  
MOSES W. WHITE.  
JOHN BARBER,  
PETER LAWSON,

Committee Room, 18th December, 1862.

Mr. Green brought up the third report of the committee on Roads and Public Buildings, on the petition of D. Tisdale, Esq.

No. 3: On motion of Mr. Green, seconded by Mr. Barber,  
*Ordered*,

That the said report be received and adopted, and the Clerk of the Council do furnish D. Tisdale, Esquire, with a copy of the said report.

The report read and adopted is as follows, viz:

"Your committee to whom the above order was referred, beg leave to report, that having carefully examined the subject of the aforesaid communication, are of opinion that the old Registry Building is not a suitable place in which to deposit the arms of the Rifle Company, in consequence of the dampness that prevails therein generally. But, feeling anxious to encourage the patriotic efforts of the said Rifle Company, recommend that the Warden be requested to endeavor to procure a suitable place in which to deposit the arms and ammunition of the said Company, [if such can be found], and report to this Council at its next setting.

All of which is respectfully submitted.

JAMES L. GREEN, *Chairman*.  
MATTHIAS HOLTBY.  
FINLAY STEINHOFF,  
DANIEL A. McCALL,

Committee Room, 18th December, 1862.

No. 4: On motion of Mr. Green, seconded by Mr. Holtby,  
*Ordered*.

That the Auditors' Report be received and adopted, and that the Warden do, and he is hereby authorized to draw his check in favor of the several parties for the amounts allowed them.

No. 5: On motion of Mr. Barber, seconded by Mr. Green,  
*Ordered*.

That this Council do hereby authorize Thomas W. Walsh, Esquire,

County Surveyor, to attend the County Council of Brant at its next session, on their behalf, to make proposals to the said Council; for a joint application to the Honorable the Commissioner of Crown Lands, requesting that a competent person be appointed by him, to decide whether there exists an original allowance for a road between the Township of Townsend, in the County of Norfolk, and the Township of Oakland, in the County of Brant; and if the said County of Brant do agree to such reference, then that the Warden of this County be, and he is hereby authorized to take such steps as may be necessary to carry out such reference and award as may be made therein; and that the Seal of this Corporation be attached to this resolution to give it the effect of a By-Law.

BY-LAW No. 106.

Attest,  
J. ERMATINGER,  
Co. Clerk, Co. Norfolk.

[Signed] Wm. M. WILSON,  
[L.S.] Warden.

No. 6: On motion of Mr. Barber, seconded by Mr. Hutcheson,  
*Ordered.*

That the County Surveyor be instructed to communicate with the proper authorities, whether it be with the Government or the Agent of the Indian Department, for the purpose of ascertaining whether there exists an original road allowance between the Township of Townsend and the Indian Reservation; and if such road allowance does exist, whether it was taken from the Township of Townsend or from the Indian Reservation; and report to this Council at its next session, and that the 24th rule of this Council be suspended so far as it relates to this resolution.

No. 7: On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered.*

In pursuance to notice leave be granted to introduce a Bill to appropriate a certain sum of money for the relief of the Distressed Operatives of Great Britain.

And the Bill was read a first time.

No. 8: On motion of Mr. White, seconded by Mr. Matthews,  
*Ordered.*

That the said Bill be read a second time forthwith.

And it was accordingly read a second time.

No. 9: On motion of Mr. Lawson, seconded by Mr. Steinhoff,  
*Ordered.*

That the said Bill be engrossed and read a third time forthwith.

And the Bill was engrossed and read a third time.

No. 10: On motion of Mr. Matthews, seconded by Mr. Green,  
*Ordered.*

That the said Bill do now pass, and become a By-Law of this County, and be intituled as in the caption thereof.

The By-Law passed is as follows, viz :

BY-LAW No. 107.

*A By Law to appropriate a certain Sum of Money for the Relief of the Distressed Operatives of Great Britain.*

Passed on the 18th December, 1862.

WHEREAS it has come to the knowledge of this Council that great distress prevails in the manufacturing Districts of Great Britain ;

And whereas this Council feel it their duty as fellows-subjects to assist in alleviating such distress ;

I.—Be it therefore enacted, by the Warden and Councillors of the Municipal Council of the County of Norfolk, in Council assembled, that the sum of One Thousand Dollars be, and it is hereby appropriated out of the public funds of this County, for the relief of the Distressed Operatives of the Manufacturing Districts of Great Britain.

II.—Be it further enacted by the authority aforesaid, that the Warden be, and he is hereby authorized to draw on the County Treasurer for the sum of One Thousand Dollars, and transmit the same to the Right Honorable the Lord Mayor of London, for the purpose aforesaid.

Passed in open Council on Thursday, the 18th December, 1862.

	[Signed]	WM. M. WILSON,
Attest,	[L.S.]	Warden.
JAMES ERMATINGER,		
County Clerk, County of Norfolk.		

No. 11 : On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered,*

Pursuance to notice, that leave be now granted to introduce a Bill to appropriate certain sums of money for the improvement of certain County Roads.

And the Bill was read a first time.

No. 12 : On motion of Mr. Matthews, seconded by Mr. White,  
*Ordered,*

That the said Bill be read a second time forthwith.

And the Bill was accordingly read a second time.

No. 13 : On motion of Mr. Green, seconded by Mr. Barber,  
*Ordered,*

That the said Bill be now engrossed and read a third time forthwith.

And the Bill was engrossed and read a third time.

No. 14 : On motion of Mr. Matthews, seconded by Mr. Snider,  
*Ordered,*

That the said Bill do now pass, and become a By-Law of this Council.

The By-Law passed is as follows, viz :

BY-LAW No. 108.

*A By-Law to authorize the expenditure of certain Sums of Money on certain County Roads.*

Passed 18th December, 1862.

WHEREAS it is expedient and necessary to expend certain sums of money to improve the County Roads and Bridges hereinafter mentioned :

I.—Be it therefore enacted by the Council of the Municipal Corporation of the County of Norfolk, in Council assembled, that the sum of Twenty-Five Dollars be, and the same is hereby appropriated to be expended in repairing the upper bridge on Big Creek, on the Town-line between the Townships of Windham and Middleton, opposite the 10th concession of the Township of Windham ; and the further sum of Twenty-Five Dollars to be expended on the said Town-line opposite the 24th Lot, in the 14th concession of the said Township of Windham ; and that Edward Conlin and John Nickerson, Esqs., are hereby appointed commissioners for expending the same.

II.—That the sum of Twenty-Four Dollars be, and the same is hereby appropriated to be expended in covering the bridges on Nanticoke and Black Creeks, crossing the Town-line between the Townships of Townsend and Woodhouse ; and that Gideon Forsyth and — Read, Esqs., are hereby appointed commissioners to expend the same.

III.—That the sum of Two Hundred Dollars be, and the same is hereby appropriated to be expended on the Town-line between the Townships of Townsend and Windham, on that portion thereof lying between Hoover's Mill-pond and Dwison Pew's Hill ; and that James L. Green, Moses Searls, and Daniel Matthews, Esquires, are hereby appointed commissioners to expend the same.

IV.—That the Warden be, and he is hereby authorized to draw his check on the Treasurer, for the several amounts hereby appropriated, in favor of the said commissioners respectively, upon production of certificates by them that the work has been duly and properly performed.

Passed in open Council on Thursday, the 18th December, 1862.

Attest,	[Signed] [L.S.]	WM. M. WISON, Warden.
JAMES ERMATINGER, County Clerk, County of Norfolk.		

No. 15 : On motion of Mr. Shearer, seconded by Mr. D. A. McCall,  
*Ordered,*

That the Memorial laid over from the last session relative to the Province assuming the Municipal debts, be laid over for consideration at the next session of this Council.

No. 16: On motion of Mr. Crysler, (in amendment), seconded by Mr. Lawson,

*Ordered,*

That the said Memorial be not now laid over, but that it be finally disposed of.

Debates arose thereon; a division was called, and the motion in amendment was carried by a majority of Two.

Yeas: Messrs. Lawson, Steinhoff, Snider, Matthews, White, Green, and Crysler—7.

Nays: Messrs. Barber, Hutcheson, Holthy, Shearer, and McCall—5.

No. 17: On motion of Mr. Matthews, seconded by Mr. Snider,

*Ordered,*

That the Warden do vacate the chair, and that Peter Lawson, Esq., do take the same.

Mr. Lawson having taken the chair,

No. 18: On motion of Mr. Holthy, seconded by Mr. Hutcheson,

*Ordered,*

That the thanks of this Council are due, and are hereby tendered to the Warden, for the able and courteous manner in which he has fulfilled the duties of the officer for this year.

The Warden returned thanks for the honor done him, in a few well chosen and appropriate remarks.

No. 19: On motion of Mr. Matthews, seconded by Mr. Crysler,

*Ordered,*

That the Warden is hereby authorized to draw on the Treasurer for the sum of Fifty Dollars, for contingencies of his office for the past year.

No. 20: On motion of Mr. Matthews, seconded by Mr. White,

*Ordered,*

That Mr. Lawson do now leave the chair, and the Warden resume the same.

No. 21: On motion of Mr. Lawson, seconded by Mr. Barber,

*Ordered,*

That the thanks of this Council are due, and are hereby tendered to Daniel Matthews, Esquire, for his services as Chairman of the Committee on Finance and Assessment for the past year.

Mr. Matthews returned thanks for the honor done him.

No. 22: On motion of Mr. Matthews, seconded by Mr. Snider,

*Ordered,*

That this Council do now adjourn.

And the Council adjourned accordingly.

*Attest,*

JAS. ERMATINGER,

County Clerk, County Norfolk.

No. 16: On motion of Mr. Crispin, seconded by

Mr. Lawson,

Ordered,

That the said Memorial be not now laid over, but that it be finally

disposed of.

Debate arose thereon; a division was called, and the motion in

amendment was carried by a majority of Two.

Yea: Messrs. Lawson, Stinson, Smith, Matthews, White, (names)

and Crispin—5.

Nay: Messrs. Barber, Hinton, Hobbie, and McCall—4.

No. 17: On motion of Mr. Matthews, seconded by Mr. Barber,

Ordered,

That the Warden do remove the chair and that Peter Lawson, T. J.,

do take the same.

Mr. Lawson having taken the chair.

No. 18: On motion of Mr. Hobbie, seconded by Mr. Hinton,

Ordered,

That the thanks of this Council are due and are hereby tendered to

the Warden for the able and courteous manner in which he has fulfilled

the duties of the office for this year.

The Warden returned thanks for the honor done him, as he will

choose and appropriate remarks.

No. 19: On motion of Mr. Matthews, seconded by Mr. Crispin,

Ordered,

That the Warden is hereby authorized to draw on the Treasurer for

the sum of Fifty Dollars for contingencies of his office for the past year.

No. 20: On motion of Mr. Matthews, seconded by Mr. White,

Ordered,

That Mr. Lawson do now leave the chair, and the Warden return

the same.

No. 21: On motion of Mr. Lawson, seconded by Mr. Barber,

Ordered,

That the thanks of this Council are due and are hereby tendered to

Daniel Matthews, Esquire, for his services as Chairman of the Com-

mittee on Finance and Assessment for the past year.

Mr. Matthews returned thanks for the honor done him.

No. 22: On motion of Mr. Matthews, seconded by Mr. Smith,

Ordered,

That the Council do now adjourn.

And the Council adjourned accordingly.

1890.

Attest: Secretary.

Attest: Clerk (Missy Norton).



